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June 19, 1996

Ms. Diane Lancaster
RAB Installation Co-Chair
Jacksonville Naval Air Station
Code 184, Box 5
Facilities & Environmental Department
Jacksonville, FL 32212-5000

Dear Ms. Diane Lancaster

The Senate version of the FY97 Defense Authorization bill includes a Department of Defense plan to devolve the Defense Environmental Restoration Account (DERA), which funds the military cleanup at active military facilities, from a centralized account to individual accounts within the military service branches. The House version of the bill does not contain language requiring devolvement. Over the next month the Senate and House will meet in conference to resolve the differences between the FY97 Defense Authorization bills.

The FY97 House Defense Appropriations bill passed Thursday, June 13. The bill does not devolve funding for the DERA and the accompanying report contains language (attached) that specifically recommends against devolvement.

State regulatory officials from Washington, Alaska, Massachusetts, Minnesota and other states have developed a fact sheet summarizing their concerns about devolvement and suggesting a congressionally-mandated committee to examine ways to stabilize the defense cleanup. The Washington State Department of Ecology, has sent a letter (attached) to their state delegation and other key U.S. Senate and House leaders.

Global Green USA is a non-governmental organization whose Legacy Program is committed to accelerating the cleanup of the environmental legacy of the Cold War. We are providing this information to keep you informed about policy decisions that could ultimately affect the cleanup at your facility.

For further information or to obtain a copy of the DoD "Report to Congress on Devolvement of the Defense Environmental Restoration Account" please contact this office at 202-879-3181 or 3184 (email: rudy@igc.apc.org). The report is also available on the web at: <http://www.dtic.mil/envirodod/devolve.html>.

Sincerely,



Polly Parks
Director, GG USA Legacy Program



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DEPARTMENT OF DEFENSE
APPROPRIATIONS BILL, 1997

R E P O R T
OF THE
COMMITTEE ON APPROPRIATIONS

TOGETHER WITH

DISSENTING VIEWS

[To accompany H.R. 3610]



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June 13, 1996

Honorable Norm Dicks
United States House of Representatives
Washington, D.C. 20515-4706

Dear Representative Dicks:

Congress is currently considering language in the FY97 Authorizing bills that would devolve the Defense Environmental Restoration Account from a single account, managed at the office of the Secretary of Defense, to a separate account for each military department and one Department of Defense (DoD) wide account. We are concerned that devolvement could result in the destabilization of the DoD environmental cleanup program, and reduce the ability of DoD to meet its public health and environmental cleanup obligations to Washington State. I am requesting your support in opposing this legislation until DoD fully involves impacted states and provides assurance devolvement will not negatively impact on-going cleanup efforts.

The DoD submitted a report to Congress entitled, "Report to Congress on the Devolvement of the Defense Environmental Restoration Account" (Report), dated March 31, 1996. The FY97 Senate Defense Authorization Bill (S. 1745) contains the statutory language codifying devolution; the FY97 House Defense Authorization Bill (H.R. 3230) does not. We also understand that the House Defense Appropriations Bill currently undergoing consideration opposes devolution.

Below are the major issues we have after review of the Report:

- **To date, there has been no meaningful involvement or discussion with states or other affected stakeholders on devolvement.** Contrary to statements in the Report, regulators were not involved during DoD's consideration of devolvement and have not accepted the Report's conclusions.
- **There is a potential destabilization of the environmental cleanup program as a result of competition between environmental restoration program obligations and other service obligations.** To date, no one has explained how devolvement will affect cleanup budgets, cleanup agreements, the Defense State Memorandum of Agreement program (an agreement reached between Washington State and the DoD in 1994), or Restoration Advisory Boards. Further, each service's funding needs may influence priorities and the level of funding provided to environmental restoration.